

Borough of Rocky Hill
Planning Board
Minutes of the Regular Meeting
May 13, 2014

Planning Board Chair Michael Goldman called the Regular Meeting of the Planning Board to order at 7:30 pm.

NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Chair Goldman read the following statement into the record: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 9, 2014. Notice remains continuously posted as required under the Statute. A copy of this notice is available to the public and is on file in the Borough Hall.

ROLL CALL

Present: Robert Ayrey, Mark Blasch, Cathy Cann, Tim Corlis, Linda Goldman, Michael Goldman, Connie Hallman, Eric Hintz, Martin Engelbrecht, Raymond Whitlock, Mayor Ed Zimmerman

Absent: Brian Nolan

UNFINISHED BUSINESS

Attorney Maziarz administered the Oath of Office to Martin Engelbrecht.

APPROVAL OF MINUTES

Regular Meeting Minutes April 8, 2014 - Motion made by Hallman to approve the minutes as presented. Motion seconded by L. Goldman. Motion carried on roll call vote.
For: Ayrey, Blasch, Cann, Corlis, Hallman, Hintz, L. Goldman, M. Goldman, Whitlock
Against: None
Abstain: Engelbrecht

Executive Session Minutes April 8, 2014 - Motion made by Whitlock to approve the minutes as presented. Motion seconded by Blasch. Motion carried on roll call vote.
For: Ayrey, Blasch, Cann, Corlis, Hallman, Hintz, L. Goldman, M. Goldman, Whitlock
Against: None
Abstain: Engelbrecht

APPLICATIONS

Application for Development: 25 Washington Road, LLC, 25 Washington St., Block 5 Lots 6 & 7
Attorney Maziarz swore in Robert F. Casey, attorney for the applicant.

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Mr. Casey explained that the applicants are a father and son who have formed an LLC. The applicants are seeking Preliminary Major and Final Major Subdivision of the existing two lots into a total of four proposed lots. The existing historical residence will be left on its own lot and two new residential lots would be created.

Chair Goldman questioned the Mr. Casey on what the application is seeking noting that the plans show more than what is requested. Mr. Casey answered that the applicant is not currently asking for a use variance, only a subdivision.

Attorney Maziarz also pointed out the discrepancy between application, the public notice and the plans cautioning the applicant that he is proceeding with the application at his own peril.

Attorney Maziarz swore in Steve Derochi, the applicant representing 25 Washington Road, LLC.

Mr. Derochi stated that he bought the property with the intent of preserving the farmhouse and that he has a strong interest in historic preservation. He would like to subdivide the property east of the existing farmhouse into two lots with the minimum destruction of trees, but to build new houses inline with the streetscape, mature trees will have to come down. He would not change the exterior details of the farmhouse. New homes built on the subdivision would be between 2,600 and 2,700 square feet. The existing barn would be used to store equipment for a construction business.

Mr. Derochi presented Exhibit 1, Realtor's Photo of Property.

The photo illustrates the main house, garage, tenant house, barn and chicken coop.

Mr. Whitlock noted that when the property was rezoned ten years ago, the Planning Board envisioned one additional house being built.

Mr. Derochi testified that he has building permits for work on the tenant house.

Attorney Maziarz swore in Rich Coppola, planner for the applicant. Mr. Coppola gave his credentials as licensed planner, and Chair Goldman accepted him as an expert.

Mr. Coppola presented Exhibit 2, the Rocky Hill Zoning Map. Mr. Coppola suggested that if the subdivision makes sense to the Board, the Planning Board could recommend to the Borough Council the modification of the zone boundary line.

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Mr. Coppola presented Exhibit 3, Aerial Photograph of Property. Mr. Coppola noted that the existing farmhouse dates to 1860 and is in the Historic Preservation Zone. The farmhouse was described as contributing to the streetscape when the Borough applied for inclusion in the National Register of Historic Places. If the Board grants approval of the subdivision, the tenant house and barn will be preserved. Mr. Coppola posited that granting the subdivision would satisfy sections A, I, and J of Municipal Land Use Law. Section A would be satisfied because the subdivision would be a modification of the zone line without violating the intent of the 2004 zoning. Section I would be satisfied because the subdivision would promote the visual design of the streetscape. Section J would be satisfied because the subdivision would promote historic conservation.

Kevin Page, engineer for the applicant, was sworn in by Attorney Maziarz. Mr. Page gave his credential as a licensed engineer, and Chair Goldman accepted him as an expert.

Mr. Page testified that the applicant is requesting a major subdivision of a 14.5-acre property creating two new lots on which two new homes will be built. The new lots will be just over an acre and will conform to all requirements. The additional houses will result in 16% coverage of the property and 20% coverage is permitted. The new houses will have underground utilities. The existing shed (chicken coop) and greenhouse will be demolished. The sidewalk will have to be lowered to build driveways.

Borough Engineer Bill Tanner raised concerns about proceeding with a subdivision without a variance.

Borough Planner Tamara Lee noted that the zoning identifies the intent of the split lot condition: residential in front and commercial in back.

Mr. Derochi responded that he is trying to respect the intent of the zoning, and suggested that the Board may recognize the subdivision and adjust the zone lines.

Planner Lee proposed that creating one new lot would meet minimum lot size and not require a zone line adjustment.

The floor was open to the public to ask questions of the witnesses on the testimony presented.

Susan Bristol, 104 Washington St., asked about accessory apartment allowances, the tax benefits of farming, why a building permit was issued for renovation, the condition of

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demolition of structures, if the plans will change, and if there are any diagrams of the property in the Master Plan.

Courtney White, 49 Washington St., asked about the intent for the existing barn and if the Board needed more details to make a final decision.

Chair Goldman recommended that the Board carry the application to the next meeting, and polled the Board on the application:

Corlis: Not enough information to proceed.

Hintz: Sensitive to time concerns, but concurs with holding until next meeting.

Ayrey: Hold application to next meeting.

Cann: Applicant has a good track record in Rocky Hill, but not enough information to vote at this time.

Hallman: Many people love the existing barn, supports moving zone line if Borough Planning Board experts agree.

M. Goldman: Not comfortable moving ahead at this time.

L. Goldman: Need more information.

Whitlock: Strongly supports moving zone line and including barn in residential zone.

Blasch: The streetscape will look better with two houses and OK with moving zone line.

Engelbrecht: Supports moving zone line.

Whitlock moved to continue the application to the June 10, 2014 meeting of the Planning Board with an extension of 45 days through the July 8, 2014 meeting. L. Goldman seconded the motion, and motion carried on roll call vote.

For: Ayrey, Blasch, Cann, Corlis, Engelbrecht, Hallman, Hintz, L. Goldman, M. Goldman, Whitlock

Against: None

Abstain: None

The Applicant assented to an extension in time to July 8, 2014.

OPEN PUBLIC COMMENT

The floor was open to public comment. Hearing none, the floor was immediately closed.

CHAIRMAN'S COMMENTS

None

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NEW BUSINESS

None

FINAL OPEN PUBLIC COMMENT

The floor was open to public comment. Hearing none, the floor was immediately closed.

ADJOURNMENT

Whitlock moved to adjourn at 10:30 PM. Motion seconded by Hallman. Motion carried on voice vote.

Respectfully Submitted:

Christine Witt
Recording Secretary